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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,844	12/08/2000	Robert G. Tanner	80398.P405	2035

7590

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Robert G. Litts  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

KARMIS, STEFANOS

ART UNIT PAPER NUMBER

3624

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/733,844	Applicant(s) TANNER ET AL	
	Examiner Stefano Karmis	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. The following communication is in response to Applicant's amendment filed, 24 March 2005.

#### ***Status of Claims.***

2. Claims 1, 9 and 38 are currently amended. Claims 2-8 and 10-37 are left as originally filed. Therefore, claims 1-38 are currently pending in this application.

#### ***Response to Arguments***

3. Applicant's arguments filed 24 March 2005 have been fully considered but they are not persuasive as discussed below. Therefore claims 1-38 stand rejected and Applicant's request for allowance is respectfully declined.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 9-14, 17, 18, 20-32, and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Perlman, U.S. Patent 6,829,779.

Claims 1-6, 9-14, 17, 18, 20-32, and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Perlman, U.S. Patent 6,829,779 as stated in the previous office action, mailed 21 December 2004. Regarding claim 1, Applicant submits that Perlman fails to teach a first virtual electronic device on a display to illustrate a first electronic device. The Examiner respectfully disagrees. Perlman clearly discloses a first virtual electronic device on a display to illustrate a first electronic device. Perlman teaches that the first consumer electronics device displays on the display screen text and/or graphical images describing the proper way to connect the consumer electronic devices (column 4, line 61 thru column 5, line 28). This display of text and/or graphical information can illustrate the first electronic device (page 9, paragraph 43-61 and Figures 9-18). Therefore, claim 1 is clearly anticipated by Perlman and remains rejected as previously stated.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 7, 8, 15, 16, 19, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman, U.S. Patent 6,829,779 in view of Linnett et al. (hereinafter Linnett) U.S. Patent 6,388,665.

Claims 7, 8, 15, 16, 19, 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perlman, U.S. Patent 6,829,779 as stated in the previous office action, mailed 21 December 2004. Regarding claims 7, 8, 15, 16, 19, 33 and 34, Applicant has asked the Examiner to provide support regarding the Official Notices taken by the Examiner. Regarding claim 19, the Examiner stated that digital wallets as handheld devices are old and well known in the art. Linnett teaches a software development platform in which a data processing system to provide assistance on a display to a user performing a specialized task (column 1, lines 55-65). Continuing, Linnett teaches the use of electronic wallets to perform the data processing system (column 3, lines 29-33). Regarding claims 7, 8, 15, 16, 33 and 34, Applicant contests that it would not have been obvious to use animated and video instructions. Linnett further teaches, animated characters and video display to assist a user with a specialized task (column 1, lines 55-65). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention, to modify the teachings of Perlman and include the animated assistance

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and electronic wallet teachings of Linnett because Perlman teaches data processing to perform a specialized task, such as connecting a VCR or DVD player, which requires graphical assistance. Linnett provides graphical assistance for a specialized task in an animated form that can be performed by a digital wallet.

Therefore claims 7, 8, 15, 16, 19, 33 and 34 stand rejected. Any remaining claims are either rejected based on dependency or as discussed in the previous office action, mailed 21 December 2004. Therefore, claims 1-38 stand rejected and Applicant's request for allowance is respectfully declined.

### *Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted  
Stefano Karmis  
17 June 2005



HANI M. KAZIMI  
PRIMARY EXAMINER